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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                        |                          |
|---|------------------------|--------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 10/752,604               |
|   | Filing Date            | January 7, 2004          |
|   | First Named Inventor   | Donald Umstadter, et al. |
|   | Art Unit               | 2828                     |
|   | Examiner Name          | Armando Rodriguez        |
| Total Number of Pages in This Submission  | Attorney Docket Number | 2115D-002758             |

**ENCLOSURES (check all that apply)**

|  |  |   |         |  |
|--|--|---|---------|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Response/Election/Restriction<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><b>Return Receipt Postcard</b> |         |  |
| <table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>   |  |   | Remarks | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. |
| Remarks  | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.   |   |         |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |                                  |               |                    |          |        |
|-------------------------|----------------------------------|---------------|--------------------|----------|--------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name | Stanley M. Erjavac | Reg. No. | 38,442 |
| Signature               |                                  |               |                    |          |        |
| Date                    | November 2, 2006                 |               |                    |          |        |

**CERTIFICATE OF TRANSMISSION/MAILING**

|   |                    |                        |                   |
|---|--------------------|------------------------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                    |                        |                   |
| Typed or printed name   | Stanley M. Erjavac | Express Mail Label No. | EV 757 778 264 US |
| Signature   |                    | Date                   | November 2, 2006  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 757 778 264 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/752,604  
Filing Date: January 7, 2004  
Applicants: Donald Umstadter, et al.  
Group Art Unit: 2828  
Examiner: Armando Rodriguez  
Title: Ultra-Short Wavelength X-Ray System  
Attorney Docket: 2115D-002758

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Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Sir:

In response to the Election/Restriction Requirement mailed October 4, 2006,  
Applicants provisionally elect Claims 1-16, 23-36 and 43-70 of Species I with traverse.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 15 of this paper.